

Rethinking law curriculum: developing strategies to prepare law graduates for practice in rural and regional Australia

Final Report 2013

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List of acronyms used

ALTC	Australian Learning and Teaching Council
LTAS	Learning and Teaching Academic Standards project
OER	Open Educational Resource
OLT	Office for Learning and Teaching, Australian Government
RRLEN	Rural and Regional Legal Education Network
TLO	Threshold Learning Outcomes

Executive summary

The recruitment and retention of lawyers for rural and regional areas is emerging as a significant concern throughout Australia. Whilst issues surrounding recruitment and retention vary from one area to the next, it is clear that employment as a lawyer in a rural or regional area presents challenges distinct to those experienced by practitioners located in metropolitan areas. The available evidence paints a picture of law graduates with little preparation for the rural and regional employment context, and sees a significant number exiting rural and regional practice after only a short time. With many current senior rural and regional lawyers indicating an intention to retire in the near future, the failure to attract and retain new legal professionals to rural and regional areas may, at a minimum, limit choice in available legal services for citizens based in these communities; or worse, restrict access to justice in rural and regional locations.

Research in other disciplines, particularly teacher education, has highlighted that there is a role for the university curriculum to prepare graduates for long-term employment in rural and regional areas. Currently, law schools typically concentrate on teaching substantive areas of law, usually with a metro-centric focus. It is clear that there is the capacity for law schools to also sensitise students to the rural and regional legal practice context and equip them with the skills to overcome challenges and take advantage of the opportunities available in a rural or regional professional career.

Based on the literature, and experiences of previous ALTC-funded research in teacher education, the *Rethinking Law Curriculum* project set out to develop strategies within the undergraduate law curriculum to better prepare lawyers for legal careers in rural and regional areas. The expected outcomes of this project were:

- To **expand and document** understanding amongst law schools and other stakeholders of issues affecting the attraction and retention of lawyers and legal professionals in rural and regional communities.
- To **develop and disseminate** a customisable law curriculum package that accounts for the needs of rural and regional communities, and which prepares future lawyers and legal professionals to be able to work in these areas.
- To **develop and disseminate** a 'Rural and Regional Legal Education Network', an ongoing community of practice between legal educators, the legal profession, rural and regional communities and other stakeholders.

The one-year project involved the development of the following deliverables:

- A discussion paper which presents an updated analysis of the literature concerning recruitment and retention of lawyers in rural and regional communities;
- A customisable curriculum package that seeks to 'sensitise' students to the realities of rural and regional legal practice, and equip them with the necessary skills to work and live in rural and regional areas. The curriculum package comprises eight modules, which may be taught sequentially as a whole unit, or embedded as smaller modules or examples within existing units of study. Each module includes comprehensive written notes, readings, other resources, and learning activities. The modules are:
 - Module 1 - The Rural Context for Legal Practice
 - Module 2 - The Rural and Regional Lawyer
 - Module 3 - Rural and Regional Practice
 - Module 4 - Rural Client Care
 - Module 5 - Ethics and the Rural and Regional Lawyer

- o Module 6 - Innovation and Entrepreneurship in Rural and Regional Legal Practice
- o Module 7 - Professional and Interpersonal Skills for Rural and Regional Legal Practice
- o Module 8 - Career Planning and Development in the Rural and Regional Legal Profession
- The development of an online 'Rural and Regional Legal Education Network', which houses the curriculum package, and holds the potential for key stakeholders to engage on issues relevant to rural and regional legal practice.

All outputs from the project are available online at <http://www.rrlen.net.au>.

This project enhances the impact of previous work in other disciplines by creating a customisable suite of resources that law schools may easily access to better prepare their students for rural and regional legal practice. The simple and flexible curriculum package ensures that the administrative and structural challenges associated with developing new curricula are minimised. The modules are aligned with Threshold Learning Outcomes (TLOs) in law, and provide educators with learning resources that are contemporary, and which have been reviewed by key stakeholders. Overall, the deliverables of this project will contribute to institutional efforts to improve graduate preparedness for employment, particularly in rural and regional contexts.

The following recommendations are made to ensure the ongoing sustainability of the project deliverables. These are detailed further from page 19 of this report:

Recommendation One: Encourage further engagement with the curriculum package

This will involve ongoing interaction with individual law schools (and other stakeholders) to promote the uptake of the curriculum package, and to assist with its implementation where necessary.

Recommendation Two: Monitor the RRLLEN website and revise the curriculum package

To ensure that the key project deliverables remain relevant, it is recommended that an individual be made responsible for site maintenance, obtaining and acting upon feedback, and undertaking curriculum package review.

Recommendation Three: Develop the RRLLEN website

The project anticipated that the RRLLEN website could, in time, provide a space where key stakeholders could interact on matters relating to rural and regional legal practice. It is recommended that further developments be explored with input from key stakeholders, and implemented where possible.

Recommendation Four: Explore opportunities for further collaboration

This project brought together a team of academics with diverse yet complementary skills who were able to work efficiently and collegially to produce valuable outcomes. Each of the team members has indicated a desire to pursue further collaborative work in the rural and regional legal practice space. It is recommended that opportunities for further collaboration be explored, which may in turn broaden the resources available for the curriculum package.

The project also highlighted that there is the potential to better connect with other academics interested in the rural and regional legal practice space beyond the members of the project team. It is recommended that nurturing this broader network should be a focus of the ongoing dissemination of the project.

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Project Outcomes and Impacts

The Rethinking Law Curriculum project was submitted under the Office of Learning and Teaching (OLT) (then the Australian Learning and Teaching Council, ALTC) Innovation and Development Grants Program Priority 3: Curriculum Renewal. Its primary purpose was to develop strategies within the undergraduate law curriculum to prepare lawyers for legal careers in rural and regional areas; namely, through the development of a new curriculum which could be undertaken by students to 'sensitise' them to the realities of rural and regional legal practice, and to better prepare them to work and live in rural and regional communities. The project sought to enable legal academics to utilise this material flexibly, either as a whole unit of study or as smaller modules or examples which could be incorporated into existing substantive units.

As a result of this project, law schools will have access to a classroom-ready suite of customisable learning modules which they can utilise to expose their students to rural and regional legal practice. The administrative burdens associated with developing new curricula are avoided with the provision of this centralised, cost-effective, and easily customised learning resource. The modules capture the diversity of contexts that shape rural and regional legal practice, exploring the purpose and role of lawyers in these areas, and the potential for them to make meaningful contributions to rural and regional communities. This meets previously stated ideals for the undergraduate law curriculum as expressed by the Australian Law Reform Commission:

In a changing environment, the best preparation that a law school can give its graduates is one which promotes intellectual breadth, agility and curiosity; strong analytical and communication skills; and a deep moral/ethical sense of the role and purpose of lawyers in society. (Australian Law Reform Commission, 2000: 153)

Curriculum renewal efforts within law schools which utilise the package in some capacity will be enhanced by the inclusion of material which is current, endorsed by key stakeholders and, in the long-term, capable of producing graduates who are better equipped to work and remain in rural and regional communities.

The expected outcomes of this project were as follows:

- To **expand and document** understanding amongst law schools and other stakeholders of issues affecting the attraction and retention of lawyers and legal professionals in rural and regional communities.
- To **develop and disseminate** a customisable law curriculum package that accounts for the needs of rural and regional communities, and which prepares future lawyers and legal professionals to be able to work in these areas.
- To **develop and disseminate** a 'Rural and Regional Legal Education Network', an ongoing community of practice between legal educators, the legal profession, rural and regional communities and other stakeholders

The project set out to produce the following deliverables:

- Updated analysis of literature highlighting issues, barriers, opportunities and successes in the recruitment and retention of lawyers in rural and regional communities, comprehensively examining the notion of legal practice through the concept of 'rural social space'.
- A customisable curriculum package that accounts for the legal needs of rural and regional communities, and which prepares future lawyers and legal professionals to be able to work in these areas. The curriculum package will focus on adaptable rural lawyer education strategies which could be embedded as components within existing units of study or developed as stand-alone units. It will include a range of academic publications and project reports which document issues and associated learning resources.

- An online 'Rural and Regional Legal Education Network', which will initially allow for the broad dissemination of the learning resources produced for this project, and which may subsequently lead to opportunities for engagement and interaction between educators, the legal profession, and rural and regional communities.

Project outcomes

The project team successfully produced the following outcomes:

- A discussion paper entitled 'Rethinking Law Curriculum', which presents an updated analysis of the literature concerning recruitment and retention of lawyers in rural and regional communities. This deliverable makes a case for the role of universities in redeveloping the undergraduate law curriculum to better prepare graduates for employment in rural and regional areas, providing further information for legal educators into the rationale for curriculum renewal in this area. It canvasses recruitment and retention problems in rural and regional legal practice, conceptualises the role of the rural and regional lawyer, and introduces the concept of 'rural social space' as a lens through which learning about legal practice may be contextualised. This deliverable is available on the project website. Much of the literature review in this discussion paper has been incorporated into the curriculum package.
- A customisable curriculum package which seeks to sensitise students to the realities of rural and regional legal practice, and equip them with strategies to overcome challenges and take advantage of opportunities. The curriculum package is the main deliverable of the project, and includes a range of resources and learning activities. Eight modules were developed which may be embedded as components within existing units of study or offered sequentially as a whole stand-alone unit. Each module comprises a comprehensive set of lecture notes, prescribed and further readings and resources (including a range of rich media sources such as video clips, some of which were developed especially for this project), and learning activities.

The modules are as follows:

- Module 1 - The Rural Context for Legal Practice: This module introduces students to the context of rural and regional legal practice and explores some of the ways in which the uniqueness of this context shapes the diversity of legal practice and the variety of issues that a rural practitioner may encounter. Students are introduced to the concept of 'rural social space' and are equipped with the tools to discover more about their chosen rural or regional community.
- Module 2 - The Rural and Regional Lawyer: This module considers the concept of the rural and regional lawyer. It examines the 'lived experience' of the rural and regional legal lawyer, exploring common depictions of the role and challenging many myths and misconceptions.
- Module 3 - Rural and Regional Practice: This module expands upon the concept of the rural and regional lawyer and introduces some of the unique aspects of practice in a rural and regional setting. In this module some of the opportunities and challenges of rural and regional practice are considered and students will reflect on the diverse range of skills and knowledge employed in rural and regional practice as well as some of the distinctive legal issues that arise in these practice contexts.
- Module 4 - Rural Client Care: The purpose of this module is to provide students with an understanding of the diverse legal needs of members of a rural and regional community, and the impact of social and other barriers upon their access to the legal system.

- **Module 5 - Ethics and the Rural and Regional Lawyer:** This module explores distinctive ethical dimensions of legal practice in rural and regional areas. The ethical dimensions of legal practice that are considered in this module are not unique to rural and regional legal practice, and may be shared with lawyers who work in metropolitan settings. However, in this module students explore issues relating to lawyers' ethics that are distinctive of rural and regional practice, or to which rural and regional practice gives a distinctive expression.
- **Module 6 - Innovation and Entrepreneurship in Rural and Regional Legal Practice:** It has been found that succeeding in practice within the rural and regional context requires a greater degree of 'entrepreneurial skills' than succeeding in the generally more 'institutional' structure of practice in a metropolitan context. This module provides a basic knowledge and understanding of the business management practices needed to create an innovative rural and regional legal practice.
- **Module 7 - Professional and Interpersonal Skills for Rural and Regional Legal Practice:** The purpose of this module is to highlight and conceptualise some of the professional and interpersonal skills particularly required in a rural and regional legal practice, as well as the key personal issues students may be confronted with as a lawyer in this setting. Students learn about the importance of communication, collaboration and working independently and key concepts relating to human behaviour in legal practice.
- **Module 8 - Career Planning and Development in the Rural and Regional Legal Profession:** This module encourages students to explore their own career interests and investigate what career pathways are available in the rural and regional legal profession. Students explore the range of resources available to help make career decisions, as well as the many factors that influence future career development.

A screen shot of the typical layout of the modules, and one of the learning activities, is contained overleaf. The curriculum package is an open educational resource (OER) and released under a CC-BY-NC-SA Creative Commons Noncommercial-Sharealike Licence. Each module is available to download and customise in both Word and Moodle formats for incorporation into an individual institution's learning management system or for use in lectures.

Topic 2: Rhetoric and Realities: The Rural and Regional Lawyer of the 21st Century?

Arguably, the traditional iconography of the rural and regional lawyer bears little resemblance to the realities of working as a lawyer in rural and regional communities today, yet no single competing representation emerges to depict the 'modern' country lawyer. This may be due to the diversity of rural and regional communities and the shifting definitions of 'rural and regional' (Mellow, 2005). Some scholars have debated that definitions of rural (as distinct from urban) communities may be based upon 'nostalgic stereotypes' (Mellow, 2005), with an assumption of uniformity across them. The 'rural identity' is certainly not homogenous, and the experiences of legal practitioners can vary from one rural or regional area to the next (Giddings, Hook & Nielsen, 2001; Forell, Cain & Gray, 2010; Hart, 2011), and over the course of time. Further, the changing practice of law on a global scale, including factors such as globalisation, access to technology, the shift in the role of lawyers from advisors to providers of information, and the increased engagement of clients in their matters (Hart, 2011, p. 228), filter down to rural and regional practice at varying rates.

Despite the heterogeneity in the rural and regional context, and community-specific influences upon practice, there are nonetheless some commonalities which can be drawn as to the nature of modern legal practice in rural and regional areas. These centre on issues such as firm governance and structure, the nature of the work undertaken, community roles and status, and the negotiation of personal and professional relationships. Throughout the remainder of this module, we will explore how these issues have been reported, and the resulting shift in the conceptualisation of the rural and regional lawyer.

Firm governance and structure

Traditionally, legal practice in rural (and many regional) areas has been by necessity entrepreneurial (i.e. where the lawyer manages the firm as a small business). Within entrepreneurial structures, practitioners are 'left to the devices of the enterprise' with opportunities for 'institutional' careers 'virtually nonexistent':

...in the rural setting, the entrepreneurial career is the only career. It is rarely tarnished by invidious comparison with local more reputable institutional careers, which simply do

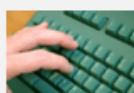
Sample learning activity from one of the modules:



Reading

The following reading explores the traditional concept of the rural and regional lawyer:

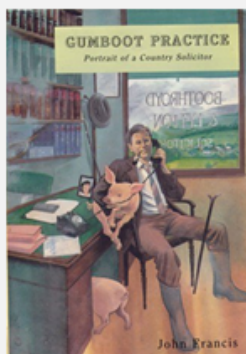
Economides, K. (1992). The country lawyer: Iconography, iconoclasm and the restoration of the professional image. *Journal of Law and Society*, 19(1), 115-123.



Learning Activity

Reflect upon the discussion and readings in the previous section and think about the following, and make some notes of your reflections:

1. What words and phrases stand out for you? Why?
2. How is the concept of 'rurality' captured?
3. In your opinion, do any of the representations endure as valid portrayals of the realities of working as a rural or regional lawyer in the 21st Century?
4. How does the image below (the cover of the John Francis novel *Gumboot Practice*) compare with your conceptualisation of the traditional rural or regional lawyer?



- The establishment of an online 'Rural and Regional Legal Education Network', which is the host site for the curriculum package, as well as a space where educators, the legal profession, and rural and regional communities may engage in future on issues relevant to rural and regional legal practice. All outputs from the project are available on the website for free download. The website address is <http://www.rrlen.net.au>.

Selected screen shots of the website may be found overleaf:



WELCOME TO OUR SITE

Welcome to the Rural and Regional Legal Education Network (RRLN), a community of practice which connects law students, legal educators, legal professionals and regional and rural communities.

KEY PROJECT

Rethinking Law Curriculum

In response to the need for legal practitioners with the skills and attributes necessary to thrive in rural and regional communities, a collaborative team of legal academics have developed a free, fully customisable curriculum package. Law schools can utilise this package to prepare future lawyers and legal professionals to work in rural and regional communities. [Click for more information.](#)

RESEARCH TEAM



UNIVERSITY
OF SOUTHERN
QUEENSLAND

LA TROBE
UNIVERSITY



UNIVERSITY OF
WOLLONGONG

CURRICULUM PACKAGE

The Legal Practice in Rural and Regional Communities unit has 8 modules, planned to run over 12 weeks. The unit aims to give students the knowledge and skills to be successful in rural and regional practice.

The overall learning outcomes for the unit are:

1. To recognise diverse legal practice contexts distinctive to rural and regional communities and identify ethically sound strategies to respond.
2. To develop an awareness of the rural and regional legal career opportunities and necessary professional and interpersonal skill to work and live in a rural and regional context.
3. To gain knowledge and understanding of the commercial and managerial skills needed for an innovative and dynamic rural and regional legal practice.

8 MODULES



Project impacts

The project has begun to make a contribution to law curricula generally. As the lead institution, the University of New England has developed a unit entitled 'LS389 Legal Practice in Rural and Regional Communities' to be offered in Trimester 3, 2013 (<http://www.une.edu.au/courses/2013/units/LS389>), which will trial the complete curriculum package as a stand-alone unit on rural and regional legal practice.

The unit description is as follows:

This unit seeks to prepare students for legal careers in rural and regional Australia by sensitising them to the contextual realities of rural and regional legal practice, and equipping them with skills to deal with such work environments. The unit comprehensively examines the notion of legal practice through the conceptual lens of 'rural social space', considering what a rural or regional legal practice career means for law graduates, their employers, and rural and regional communities. It exposes students to a range of issues which may be encountered in the rural legal practice context, and equips them with a range of skills to meet challenges and take advantage of opportunities.

The University of Wollongong, one of the project partners, will also offer a unit which adopts the whole curriculum package in Semester Two, 2013 as a special study in law unit entitled 'LLB 350 Special Studies in Law A (Rural & Regional)'.

Interest from colleagues at institutions in the United States, Canada and Japan was also expressed when the project was presented at international conferences. Further consultation with these colleagues is planned following the launch of the curriculum package.

Finally, project team member Associate Professor Claire Macken has been involved in designing a curriculum for rural and regional nurses in Victoria which has drawn upon the present project.

Project approach and methodology

This project was completed in two key stages – the investigation stage, which spanned the first two months of the project, and an interrelated development, dissemination and evaluation stage. The chart below shows the timeline implemented by the project team, updated from the one proposed in the project plan because of the later start date caused by the project leader's absence on maternity leave.

Stage	Dec-Jan	Feb-Mar	Apr-Aug	Sep-Oct	Nov-Dec
1 Investigation	→				
2 Development		→	→	→	
3 Dissemination			→	→	→
4 Evaluation	→	→	→	→	→

The investigation phase involved the formation of the reference group, establishment of project protocols and the literature review.

The reference group membership included Professor Simone White (Monash University: leader of a previous ALTC project entitled 'Renewing rural and regional teacher education curriculum', which greatly informed the development of this project); Ms Emma Hlubucek

(Law Council of Australia representative); Associate Professor Brian Simpson (University of New England: leader of the Street Law Project at UNE, examining how 'street law' as a clinical legal education program might be applied in regional and rural settings to address disadvantage in accessing law); Mr Danny Barlow (lawyer from rural Victoria, with a keen interest in rural legal practice issues and the preparation of graduates for rural and regional practice); and Professor Sally Kift (James Cook University: an ALTC Senior Fellow 2006) and ALTC Discipline Scholar in Law, who has published widely in legal education on issues relating to curriculum design to embed and assess graduate attributes). The reference group represented a range of expert researchers, legal practitioners and the peak national professional body. The establishment of the reference group enabled feedback on the curriculum package – both during its formation as well as its final review; as well as providing another dissemination channel for the project outcomes.

Members of the reference group (particularly Professor Simone White) assisted with advice concerning the aims and scope of the project, provided feedback on the draft curriculum modules, and offered suggestions to assist with the dissemination of the project outcomes. Whilst the project timeline and budget did not permit the reference group to meet face to face, Professor Simone White participated in the first project team meeting via teleconference, and all members were available via email for consultation. Also noteworthy are the efforts of the Law Council of Australia representative, Ms Emma Hlubucek, in sending the curriculum package to both their Recruitment and Retention of Lawyers Working Group and Legal Education Committee for further feedback; the comments and insight from both groups provided further helpful guidance on the development of the curriculum package.

During the project investigation stage, the project leader also commenced discussions with the project evaluator (Professor Jeff Giddings, Griffith University) to develop and confirm the project evaluation plan. From the outset, Professor Giddings has acted as a source of support and advice on the project, which has fostered a productive evaluation process.

The final component of the investigation phase was the conduct of the literature review. This was compiled as a discussion paper, which had multiple purposes: to inform the project team curriculum development discussions; and, more broadly, to present information concerning the recruitment and retention of lawyers in rural and regional communities to stakeholders, justifying redevelopment of the undergraduate law curriculum to better prepare graduates for employment in these areas. Unlike the field of rural and regional teacher education, there has been little research into rural and regional lawyer education, particularly at the tertiary level. However, there has been increasing research into recruitment and retention issues in rural and regional legal practice, including attempts to conceptualise rural and regional practice as distinct from metropolitan practice. Key findings from the literature on these issues included:

- Notwithstanding the complex locality-specific nuances relevant to issues of recruitment and retention of lawyers in rural and regional areas (Forrell, Cain and Gray, 2010), there are widespread difficulties in attracting and retaining lawyers in these communities (Law Council of Australia, 2009).
- Lawyers in rural and regional areas undertake a significant amount of pro bono and Legal Aid work, as well as other community roles. Whilst there is no 'optimum' number of lawyers per capita, the failure to attract and retain lawyers in rural and regional areas raises concerns about the sufficiency of legal services in these areas (Rice, 2011) and, in some cases, challenges access to justice (Law Council of Australia, 2009; Mundy, 2008).
- The increasing unwillingness to work as a lawyer in rural and regional areas has been linked to the nature of work as a lawyer in these communities. Practice as a lawyer in a rural or regional area exposes practitioners to a broad range of legal work and heightened responsibility at an early stage in their careers (Forrell, Cain and Gray, 2010). This may have positive and negative implications, providing "... significant opportunities for relatively inexperienced lawyers who can assume major practice responsibilities at a

relatively early stage of their careers” (Giddings, Hook and Nielsen, 2001: 60); yet at the same time challenging new practitioners to act beyond their skill-set, inviting ethical and moral conundrums.

- Whilst there are identifiable lifestyle benefits from residing in rural and regional areas (McFarlane, 2010), in many cases the distance from metropolitan centres (sometimes exacerbated by travel costs) may result in a lack of access to resources (e.g. professional development activities), causing professional isolation (Coverdale, 2011; Martin, Williams and Kennedy, 2011). Further, the visibility of practitioners in rural and regional communities is often high, affecting the privacy of the individual, and intensifying issues of client confidentiality and conflicts of interest (Martin, Williams and Kennedy, 2011; Giddings, Hook and Nielsen, 2001).
- Some attempts have been made to deal with this problem, including targeted graduate recruitment programs to increase the supply of graduates in rural and regional areas (Mundy, 2008), but little has been done at the tertiary education stage to prepare students to manage the challenges of rural and regional legal practice.
- Active curriculum level interventions can build the necessary knowledge and skills vital for rural and regional professional practice (Bell, MacCarrick, Parker and Allen, 2005).
- Within the teacher education space, it has been found that the curriculum may be more actively utilised to sensitise students to educational and cultural issues in rural and regional areas as well as embedding the concept of ‘rural social space’ within the curriculum (Lock et al, 2009). This equips students with the capacity to appreciate the diversity of demography, economy and geography of the communities within which they will work (Reid et al, 2010), overcoming stereotypical views which may inhibit exploration of diverse rural and regional career options.
- By incorporating such content into their curriculum, law schools can challenge the ‘metro-centric’ focus of the initial phase of legal training (O’Brien, Harrison and Muddagouni, 2010), and encourage students to envisage rural and regional legal practice as a long-term viable career option.

The discussion paper drew together information from the literature, and contemplated whether the law curriculum could take a new direction, focused upon sensitising students to the realities of practice in rural and regional areas, and alerting them to some of the skills necessary for that context. Utilising existing knowledge from the previous ALTC-funded project ‘Renewing rural and regional teacher education curriculum’, it was determined that the law curriculum could be similarly advanced to expose students to, and prepare them for, career pathways in rural and regional areas, thereby satisfying the OLT Program Priority of ‘Curriculum Renewal’.

The interrelated development, dissemination and evaluation stage then began with the development of the customisable curriculum package. At the first team meeting, the project team brainstormed what the curriculum package would look like, based upon the key themes that emerged from the literature review. These included:

- Defining rural and regional communities and capturing their diversity so that students had a more realistic understanding of the place in which they might work as a lawyer;
- Understanding how a rural or regional ‘place’ impacts upon the role of the lawyer and be able to distinguish rhetoric from reality in conceptualising the rural or regional lawyer;
- Understanding the legal needs of rural and regional areas, and the nature of rural and regional clients who may, in some cases, seek professional as well as personal advice;
- Awareness of the ethical issues particular to rural and regional practice, and the risks posed to practitioners who may become more visible in rural and regional settings;

- Development of particular skills for rural and regional practice, e.g. communication skills, self-management and capacity for independent work;
- Awareness of career opportunities and how to take advantage of innovative practices.

It was agreed that the focus of the package was to 'sensitise' (Giddings and Thomas, 2002) students broadly to the realities of rural and regional legal practice across substantive practice areas, rather than to attempt to comprehensively explore individual areas of practice.

Team members were allocated to the modules based upon their areas of expertise. Members worked on compiling the modules in small teams following the first meeting in February until the end of April 2012. As a proposed undergraduate program, the team were mindful to ensure that the curriculum package was consistent with the Threshold Learning Outcomes (TLOs) for law. The TLOs for the Bachelor of Laws were developed under the 2010 Learning and Teaching Academic Standards (LTAS) project in law, led by Professor Sally Kift (one of this project's reference group members) and Professor Mark Israel. The Council of Australian Law Deans endorsed the TLOs in November 2010. As the LTAS project report authors note:

Taken as a whole, the TLOs for the Bachelor of Laws represent what a graduate is expected to know, understand and be able to do as a result of learning or, in the words of the Australian Qualifications Framework (AQF), the "set of knowledge, skills and the application of the knowledge and skills a person has acquired and is able to demonstrate as a result of learning". (Kift, Israel and Field, 2010: 9)

The TLOs for the Bachelor of Laws are (Kift, Israel and Field, 2010):

- TLO 1: Knowledge
Graduates of the Bachelor of Laws will demonstrate an understanding of a coherent body of knowledge that includes:
 - a. the fundamental areas of legal knowledge, the Australian legal system, and underlying principles and concepts, including international and comparative contexts,
 - b. the broader contexts within which legal issues arise, and
 - c. the principles and values of justice and of ethical practice in lawyers' roles.
- TLO 2: Ethics and professional responsibility
Graduates of the Bachelor of Laws will demonstrate:
 - a. an understanding of approaches to ethical decision-making,
 - b. an ability to recognise and reflect upon, and a developing ability to respond to, ethical issues likely to arise in professional contexts,
 - c. an ability to recognise and reflect upon the professional responsibilities of lawyers in promoting justice and in service to the community, and
 - d. a developing ability to exercise professional judgement.
- TLO 3: Thinking skills
Graduates of the Bachelor of Laws will be able to:
 - a. identify and articulate legal issues,
 - b. apply legal reasoning and research to generate appropriate responses to legal issues,
 - c. engage in critical analysis and make a reasoned choice amongst alternatives, and
 - d. think creatively in approaching legal issues and generating appropriate responses.

- TLO 4: Research skills
Graduates of the Bachelor of Laws will demonstrate the intellectual and practical skills needed to identify, research, evaluate and synthesise relevant factual, legal and policy issues.
- TLO 5: Communication and collaboration
Graduates of the Bachelor of Laws will be able to:
 - a. communicate in ways that are effective, appropriate and persuasive for legal and non-legal audiences, and
 - b. collaborate effectively.
- TLO 6: Self-management
Graduates of the Bachelor of Laws will be able to:
 - a. learn and work independently, and
 - b. reflect on and assess their own capabilities and performance, and make use of feedback as appropriate, to support personal and professional development.

The TLOs are evident across the curriculum package developed in this project. With respect to TLO 1, whilst the curriculum package does not deal with any substantive areas of law, it certainly covers rural and regional contextual issues relevant to legal practice as well as giving consideration to the notions of justice and ethics in the rural and regional lawyer's role. For TLO 2, the curriculum provides coverage of ethical issues specific to rural and regional practice, and encourages students to reflect upon their role within the community, and the specific ethical issues which might arise. For TLO 3, whilst substantive legal problem solving is not encountered, students are encouraged to think about the legal issues which might arise in the rural or regional context and how the context might shape their response. With respect to TLO 4, students are introduced to the broader policy context of rural and regional communities. For TLO 5, students cover specific communication and collaboration skills which are relevant to the rural and regional context. Finally, with respect to TLO 6, students are encouraged to embrace self-management and independent work skills, and to reflect upon their own personal and professional journey.

Upon completion, draft modules were circulated to the whole team and workshopped at a second team meeting in May. Using feedback from this meeting, authors refined their modules further. Modules were then collated and reviewed by the project leader and educational developer. The revised modules were then sent to the reference group and the project evaluator for feedback. Feedback received to date has been incorporated, where possible, into the modules prior to their release on the RRLEN website. However, the modules are not considered to be a static product, and further refinement is anticipated as awareness and uptake of the modules increases and additional feedback is received.

During the curriculum development phase, dissemination and project evaluation were also ongoing. The project was promoted through a variety of channels and feedback sought (particularly on the form and content of the curriculum package). The dissemination and evaluation components of this stage of the project are discussed below on pages 20 and 21 respectively.

Successes, challenges and recommendations

Critical to the success of this project was the commitment of each team member to the collaborative approach adopted within the project, particularly the curriculum writing process. This was facilitated by the development of a template for the curriculum modules, which provided a structure for writing that ensured consistency and prevented individuals from veering off course. Further, support from the enthusiastic and experienced project staff (the project officer and educational developer) also ensured that milestones were met in a timely fashion and within budget.

There were some factors which impeded the progress of the project, but not to the extent that the success of the project was compromised. The delayed start of the project, owing to the project leader's absence on maternity leave, set back the timeline for achievement of many of the deliverables. The OLT accommodated this by way of an extended deadline for the final report. Delays due to the need to seek fresh approval for three team members who changed institutions after the commencement of the project also occurred, but were overcome with administrative support.

The recruitment of an educational developer took longer than anticipated and the appointee was not available to work the full amount of time allocated within the budget. This required the project leader to take on some of the educational developer's activities. This was viewed, however, as unavoidable given the location of the project lead in a rural area (Armidale) where the pool of available employees was considerably much smaller than in other areas.

The size of the curriculum package (over 150 pages, in excess of 50,000 words) required a considerable commitment of time by reviewers to provide a comprehensive analysis of the materials. Several reference group members and other peer reviewers, who are already extremely busy people, were inevitably delayed in their assessment of the materials. Exacerbating this was the short time frame of this project (12 months), and of the curriculum review phase in particular. On reflection, a more efficient approach would have been to share the modules across the reference group (e.g. one or two modules per person) rather than requesting each member to review the entire package in the time frame permitted within the project. Nonetheless, reference group members have provided helpful feedback which is currently being incorporated into the curriculum package. As noted above, the curriculum package is not viewed as a static product and ongoing refinement is anticipated. The project leader is committed to overseeing the ongoing development of the modules as further feedback is received.

Despite these challenges, the project team were able to produce each of the proposed project deliverables on time and within budget.

One major challenge, however, still remains: ensuring the sustainability of key project deliverables in future. This will involve deepening law school and other stakeholder engagement with the curriculum package and website; keeping the curriculum package up-to-date; maintaining the RRLEN website to ensure that educators can continue to access the resource; and developing the website further to enable those with an interest in preparing lawyers for practice in rural and regional areas can engage with one another. The following recommendations are made to ensure that this challenge can be overcome:

Recommendation One: Encourage further engagement with the curriculum package

This will involve ongoing interaction with individual law schools (and other stakeholders) to promote the uptake of the curriculum package and to assist with its implementation where necessary. The project leader is committed to undertaking this task with local support from project team members where possible. Some administrative support will also be required.

Recommendation Two: Monitor the RRLEN website and revise the curriculum package

To ensure that the key project deliverables remain relevant, it is recommended that an individual be made responsible for site maintenance, obtaining and acting upon feedback and curriculum package reviews. The project leader is committed to leading this. Some administrative support will also be necessary.

Recommendation Three: Develop the RRLEN website

The project anticipated that the RRLEN website could, in time, provide a space where key stakeholders could interact on matters relating to rural and regional legal practice. It is recommended that further developments be explored with input from key stakeholders and

implemented where possible. The project leader is committed to following this up, given appropriate technical support.

Recommendation Four: Explore opportunities for further collaboration

This project brought together a team of academics with diverse yet complementary skills who were able to work efficiently and collegially to produce valuable outcomes. Each of the team members have indicated a desire to pursue further collaborative work in the rural and regional legal practice space. It is recommended that opportunities for further collaboration be explored, which may in turn broaden the resources available for the curriculum package.

The project also highlighted that there is the potential to better connect with other academics interested in the rural and regional legal practice space beyond the members of the project team. It is recommended that nurturing this broader network should be a focus of the ongoing dissemination of the project.

Dissemination

The predominant channel for disseminating the main project deliverable, the curriculum package, has been the RRLEN website (<http://www.rrlen.net.au>). Initially, the project team planned to utilise the WikiEducator platform to produce the site. However, the development of a '.net' site with external support has produced a more visually appealing product with the ability to track user downloads via a login function. In time, it is planned that this site will provide a space for legal educators, law students, the legal profession and rural and regional communities more generally to engage on issues concerning recruitment and retention of rural and regional legal professionals. This will include the opportunity to offer ongoing feedback on the curriculum package.

The launch of the RRLEN website and curriculum materials has been promoted to law schools and other stakeholders. A hard copy brochure promoting the package has been sent to all law schools, and will be distributed at key events over the coming months. The brochure has been distributed digitally via the Council of Australian Law Deans, the LawAD Network, the Australian Law Teachers' Association, the Australasian Law Students' Society, the Law Council of Australia, state and territory based law societies, and regional law societies. Contact details for the project are included in this mail-out for further consultation. Follow-up from the project leader will continue over the coming months.

Traditional academic publication channels have also been utilised to publicise the project and the deliverables. This has included:

- Promotion of the project in the March 2012 Australasian Law Teachers' Association (ALTA) newsletter;
- Contribution to the *Alternative Law Journal's* 'Down Under All Over' section to promote the project: Nielsen, J., and Kennedy, A.L., 'Rethinking the law curriculum: strategies for rural and regional Australia' (2012) 37(2) *AltLJ* 134.
- Attendance of several project members at the Rural and Regional Law and Justice Conference in Coffs Harbour, NSW in May 2012 to discuss the project informally with other delegates, and to present a paper entitled 'Curriculum in context: Reconceptualising undergraduate law teaching to prepare graduates for legal practice in rural and regional areas'. The paper session was attended by 20 delegates;
- The project was showcased by Jennifer Nielsen at the 2012 Annual ALTA Conference (University of Sydney, 4 July 2012), with a presentation to the Legal Education Interest Group's 'Law Curriculum' session. The session was well attended with an

audience of about 25. The presentation focused on the rationale and aims of the project and provided a brief overview of the curriculum being developed. The project was received with great interest from academics representing a range of law schools (both metropolitan and regional, and international), as well as relevant state bodies. A delegation of Chinese law deans met with the Council of Australian Law Deans as part of the conference. It was reported that China is also experiencing similar difficulties (to those that are the focus of this project) in the provision of legal services to rural and regional communities.

- Presentation of the project by Amanda Kennedy at the International Legal Ethics Conference in Banff, Canada in July with the paper 'Rethinking law curriculum: educational strategies to prepare graduates for legal practice in rural and regional areas'. This session was attended by approximately 15 international legal academics. Strong interest in the project was expressed by academics from Canada, the United States and Japan with further follow-up planned;
- Presentation of the project by Amanda Kennedy at the World Conference on Learning, Teaching and Administration in Brussels, Belgium in October 2012 with the paper 'Preparing law graduates for rural and regional practice: A new curriculum-based approach'. The session was attended by approximately 35 delegates spanning a range of discipline areas. Feedback related to experiences with contextualised curriculum was received. A short paper of this session will be published in *Procedia Social and Behavioural Sciences* as a special conference edition.

Following the various conference presentations, articles are now being prepared for submission to the *Legal Education Review* and *Higher Education Research and Development*. These will be submitted in early 2013.

The dissemination strategy is consistent with that proposed in the project plan, and adopts the approach proposed in the ALTC Dissemination Framework. Whilst information provision has comprised a large part of the dissemination strategy, an engaged approach has been employed to promote the project to stakeholders and encourage their uptake of the project outcomes. This has included:

- Identification of key stakeholders and ongoing interaction planned to ensure adoption of the project deliverables by educators (or, in the case of non-educator stakeholders, to generate further support for the deliverables);
- Incorporation within the curriculum package of a comprehensive user guide which clearly details how educators can implement the curriculum package and effectively tailor it to their own needs;
- Provision of a feedback mechanism on the RRLEN website to ensure that the curriculum package remains up to date and relevant to end-user needs.

Beyond the project, other plans include:

- Review of the curriculum package following its initial teaching in the project partner institutions;
- Potential longitudinal study of student employment destinations, and experiences with rural and regional employment, following their study of the curriculum.

Linkages

From the outset, this project has maintained a strong link with previously OLT funded research led by one of the reference group members, Professor Simone White. This interdisciplinary link has proven invaluable, with the project 'Renewing rural and regional teacher education curriculum' providing a basis upon which the present project has built new curriculum strategies in the discipline of law. These projects are both situated within the OLT's Strategic Priority Area of 'Curriculum Renewal' and promote strategic change

within higher education institutions through the enhancement of learning and teaching. Specifically, these projects have each developed contemporary curricula that encourage 'work-ready' graduates, equipped with the tools to continue their personal and professional development within a specific employment context. The present project was able to take the innovative approaches adopted by Professor White's team, and modify and apply them to the discipline of law. It is anticipated that other disciplines could further refine the approaches utilised across the two projects for use in other discipline areas where preparation of students for professional practice in rural and regional areas is critical (e.g. medicine and other health professions). More generally, these projects have contributed to the understanding of the concepts of 'rurality' and 'regionality' across disciplines, offering solutions at local and national levels to the issue of recruitment of professional staff to rural and regional areas.

As a result of this project, the project team have committed to maintaining the link forged through their work on this project. In particular, those who are implementing the curriculum package in their own teaching have agreed to share experiences over the coming years and potentially investigate long-term research projects concerning graduate employment destinations and experience.

Finally, the project has led to linkages with other bodies that have an interest in rural and regional legal practice. Of note is a collaborative research project under development involving the project leader and the NSW Office of the Legal Services Commissioner (the regulator for lawyers in NSW) exploring disciplinary matters and complaints against young lawyers in rural and regional areas. The results of this research will undoubtedly produce a further resource for the curriculum package to draw upon, providing greater insight for students considering a career in rural or regional practice.

Evaluation

The project has been evaluated iteratively throughout its duration and feedback has been acted upon where possible to ensure that processes were improved. Professor Jeff Giddings from Griffith University acted as the independent evaluator for this project. The evaluation of the project was guided by the following evaluation criteria:

Evaluation Criteria Key Questions

Consideration of stakeholder input	• How are stakeholder inputs being considered for inclusion in the curriculum resources? - External stakeholders, e.g. Law Society - Project partners - Processes, i.e. face to face retreats and ongoing input • On what basis are decisions about inclusion/exclusion and learning design being made?
Effectiveness of resources provided in addressing the project aims	• How easily can the curriculum resources be embedded into existing programs and subjects? • How useful are the tools that have been provided to assist? • What peer review has been organised on the resources developed?
Effectiveness of dissemination strategies	• How are the team members modelling use of the resources? • How effectively have the team members communicated the needs and benefits of the resources within their Schools? • How effectively were other Schools encouraged to adopt outcomes? • How has the network model been implemented and who is participating in the initial stages?
Effectiveness of project processes	• Were there any variations from the processes that were initially proposed and if so, why? • What unintended benefits accrued from the project? • What factors helped/hindered in the achievement of the outcomes?
Timeliness	• Were timelines managed appropriately? • What strategies were in place for risk management?
On budget	• Did the budget describe accurately the extent of time required to undertake the project?

The final evaluation report is at Appendix A.

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Appendix A

FINAL EVALUATION REPORT